1950-51 **File No.** 8662/36 - VII

B CLASS

P. W DEPARTMENT

E BRANCH(II)

Subject:— Minor Irrign Works

i) Transfer of — to agriculture Dept

ii) Establishment

E.B.(II)

File No. 8662/36 - VII

Ptd. Scott. Bhp. 94 A

B [K] - 1951

G.R., G.D., No 2408, dated 22-6-22.]

Std. Sectt. 78A o.

Correspondence

DOCKET SHEET (B)

Subject :—

File No. 8662/36 - VII

P.W DEPT.

E BRANCH. (11)

References :— ~~Main file is sent to Maharashtra~~

Separated from the main file
B[M]

Date.	To whom sent.	Notes and instructions.

Letter.

From

The Superintending Engineer,
Southern Circle.

To

The Secretary to Government,
Public Works Department,
Bombay.

No.G-43. Public Works Deptt.,
Belgaum 8th April 1950.

Sub:- Establishment of the Minor Irrigation Divisions. Absorption of -

Due to the re-organisation of the Agricultural Department (Engineering), a number of clerks have been served with notices of discharge. The question of their absorption has now arisen. Many of the ~~ex~~ clerks in the Agricultrual Department (Engineering) were granted higher scales of pay by taking into account their past service in the various concerns (both Government and private). The total service rendered by them is less than that of many of the ~~e~~ clerks in the regular P.W.D., who are still working in the lower grade; and as such, the absorption of the clerks of the Agricultrural Department (Engineering) in the P.W.D. on the same pay as they were drawing in the Agricultural Department would be doing a ~~xxxx~~ great injustice to the clerks who have put in more service in the P.W.D. and who are still in the lower grade, drawing less pay.

2. Secondly, the senior men in the lower grade in the P.W.D. due for promotion to the higher grade will be deprived of the promotions, if the ~~ex~~ clerks in the higher grade of the Agricultural Department are absorbed in the P.W.D. on the pay they were drawing in the Agricultrual Department and in the same scale of pay as they will have to be absorbed against the sanctioned strength of the P.W.D.

3. It therefore, appears fair to refix their pays by taking into consideration the total length of service put in by them in the Agricultural and other Departments and concerns approved by the Government and place them at the respective places in seniority. By adopting this procedure, the clerks of the Agricultural Department will be put to some appreciable financial loss.

4. Orders are therefore requested as to whether the clerks of the Agricultural Department can be absorbed on their ir present pay, treating the difference (i.e. between the pay that was actually drawn by them in the Agricultural Department and that arrived at by calculation, taking into consideration their total length of service) as personal pay, to be merged in future increments, and placed in seniority at the places where they would have stood if they had put in the total length of service in the P.W.D.

5. Pending the decision of Government, the cderks will be absorbed on the pay that would be arrived at by taking into consideration the total length of their service in Agricultural and other Departments or concerns as laid down against S. No. 2 of appendix XXVII of the Bombay P.W.D. Manual Vol. II.

Sd/-

Superintending Engineer, S.C.

Id/-

8/4/50.

Letter.

No. 8662/36-E(II).

Public Works Department,
Bombay Castle, (Bombay No.1)
26th April 1950.

To

The Superintending Engineer, Southern Circle.

Sub:- Establishment of the Minor Irrigation Divisions -- Absorption of --

Reference:- Your letter No. G.43, dated the 18th April 1950,

2. Your proposal to fix the pays of the clerks proposed to be absorbed in your Circle by taking into consideration the total length of service in the Agricultunal Department, etc., cannot be approved. Youx are requested to submit each case to Government, giving full particulars of experience, pay, etc., and your recommendations in the matter.

By order of the Govr. of Bombay,

Id/-
27/4/50.

Assistant Secy. to the Govt. of Bombay,
Public Works Department.

D.A.-Nil.

Copy forwarded to the other Superintending Engineers of Circles with reference to the letter No. Est. (Eng.) @ /E.I., dated the 6th March 1950, from the Joint Director of Agriculture (Engineering)

Copies, with copy of letter No.Est.(Eng.)/E.I., dated the 6th March 1950, from the Joint Director of Agriculture (Engineering) forwarded to the Chief Engineer, Public Works Department, for information.

Issued with copy.

E.B.(II). 8662/36/105097

P.W.D.

The S.E., Karnatak Irrigation Circle, has now forwarded details of six persons who have been absorbed in his Circle from the defunct Minor Irrigation Divisions. In his letter No.G.43, dated the 18/5/1950, the S.E. has reported the names of 13 persons who had been absorbed in the Dharwar Irrigation Division. The S.E. will, therefore, be requested to elucidate the position.

2. The proposal contained in these papers is the fixation of the initial pays of the absorbed persons and their seniority on their appointment in the P.W.D. The S.E. has granted these persons the pay they were in receipt of in the Agricultural Department and requestes Government to allow them to continue on the pay and scales shown against them. In this connection it may be stated that in accordance with rule 43 of the B.C.S. Rules Manual, Vol. I, re-employment of a Government servant after discharge on reduction of establishment amounts to fresh appointment for the purposes of pay and the person draws the minimum of time-scale. The retrenched persons have been absorbed in a different Department and in accordance with the above provisions are required to be given the minimum of the scale in which they have been appointed. However, according to the provisions laid down against S.No.2 of App. XXVII of the Bombay P.W.D.Manual, Vol.-II, the S.E. is competent to grant higher starting pay by taking into consideration previous useful service rendered in Government or other offices for a considerable period. Looking to the above fact the S.E.'s action in fixing the pays as indicated in the statement at pages 41/43 ante, is in oreder and may be approved.

No. G-43

Office of the Superintending Engineer,
Karnatak Irrigation Circle,
Dharwar, 18th May 1950.

To

The Secretary to Government,
Public Works Department,
Bombay-1.

Subject: Establishment of the Minor Irrigation Divisions: -Absorption of...

Reference: Government (P.W.D.)Letter No.8662/36-E(II), dated the 26th April 1950 addressed to the Superintending Engineer, Southern Circle, Belgaum and copy endorsed to other Superintending Engineers.

2. Presently I am to report that the below-named subordinates released from the late Belgaum Minor Irrigation Division have been absorbed in Dharwar Irrigation Division in accordance with para 5 of Government Resolution (P.W.D.)No.444/48 dated the 24th March 1950, on the pay noted against them.

Sl No.	Name and designation of the subordinate.	Present pay and scale in this Department.	Pay and scale in the Agricultural Deptt.on 31-3-50
1	2	3	4
1.	Shri.M.D.Yadav, S.A.C.	Rs.124/-in the scale of Rs.100-8-140-10-150.	Rs.124/- in the scale of Rs.100-8-140-10-150.
2.	Shri.D.Y.Nadgauda, Clerk.	Rs.92/- 92-8-140.	Rs.92/- 92-8-140.
3.	Shri.N.G.Joshi, Clerk	Rs.89/-plus 3/- 46-3-85-4-105	Rs. 92/-. 92-8-140

1	2	3	4
4.	Shri.B.P.Oulkar, clerk	Rs.61/- 46-3-85-4-105	Rs. 61/- 46-3-84-E.B.-4-105
5.	Shri.S.M.Kangralkar, "	Rs.61/- -do-	Rs. 61/- -do-
6.	Shri.C.J.Hart, Clerk	Rs.58/- -do-	Rs.58/- -do-
7.	Shri.V.R.Patil, clerk	Rs.58/- -do-	Rs. 58/- -do-
8.	Shri.M.G.Kulkarni, "	Rs.58/- -do-	Rs. 58/- -do-
9.	Shri.M.K.Hampiholi, "	Rs.58/- -do-	Rs. 58/- -do-
10.	Shrimati R.S.Luther, Clerk	Rs.89/- 3/- in scale -do-	Rs.92/- in the scale of 92-8-140.
11	Shri.H.K.Kulkarni (Re-employed pensioner)	Rs.73/- 2/- in scale -do-	Rs.73/- 2/- in -do-
12.	Shri.C.R.Desai, Compu-tor.	Rs.46/- -do-	Rs.46/- -do-
13.	Shri.P.L.Tashildar, Daftry	Rs.37/- in the scale 35-1-50	Rs.37/- in the scale of Rs.35-1-50.

3. As desired by Government in their letter under reference, each case giving full particulars of experience, pay etc. with my recommendations will be submitted for favour of consideration by Government in due course, after collecting full requisite information in respect of each person.

E(II) 22/5

191

Superintending Engineer,

P. W. D.
No. 8662/36
K.I.P. Rly No. 40457

E E II
19-5-56

35 T 8662/36/40457.

P.W.D.

E.B. (II).

Submitted with refce. to the G.L. at pp.31-32 ante and the note pp.27-29 underlying it.

2. From the statement appended to para. 2 of the S.E's letter pp.33-34 it will be seen that the S.E. has given the same pay to the persons absorbed from the late Belgaum Minor Irrign. Dn

3. Detailed report ~~from~~ promised by the S.E. in para. 3 of his letter may be awaited.

26/5/52.

26/5/52

D.S.

Cent 771-

E.B.(II).

The S.E, Karnatak Irrign. Circle expedited under No. 8662/36-E.(II), dt. the 24th June 1950.

28/6/50.

Received 28/6/50

37

No. G-43 Office of the Superintending Engineer,
Karnatak Irrigation Circle;
Dharwar, 3 July 1950.

To

The Secretary to Government,
Public Works Department,
Bombay-1.

Subject: Absorption of the Establishment from the Minor Irrigation Divisions. P.36

Reference: Government (P.W.D.)Memorandum No.8662/36 E(II) dated the 29th June 1950.

2. The detailed information in respect of all the subordinates absorbed in this Circle has been received from the Executive Engineer, Dharwar Irrigation Division; but it has to be authenticated from their service books which are still awaited from the Executive Engineer, Bijapur Lift Irrigation Division, Bijapur. The Executive Engineer is being expedited in the matter.

Superintending Engineer, K.I.C.

Through:
The Chief Engineer, P.W.D., Bombay with compliments.

8662/36/55006. 38

P.W.D.

E.B.(II).

Await.

12-7-50 13/7/50

S.A.S

E.B.(II).

The S.E., Karnatak Irrign Circle, expedited under No. 8662/36-E(II), dt. The 16-8-1950

Issued 15/8/50

17-8-50

8662/36
55006

39

No. G-43

Office of the Superintending Engineer,
Karnatak Irrigation Circle,
Dharwar, 31/8/ 1950.

To

The Secretary to Government,
Public Works Department,
Bombay-1.

Subject: Absorption of the Establishment from the Minor Irrigation Divisions. P 39

Reference: Government (P.W.D.) Memorandum No.8662/36-E(II) dated the 18th August 1950.

2. Certain information in respect of the subordinates from the Minor Irrigation section is still awaited from the Executive Engineer, Dharwar Irrigation Division, who is being expedited to furnish the same at once without delay.

D.O.: nil.

Superintending Engineer, K.I.C.

Through:
The Chief Engineer, P.W.D., Bombay, with compliments.

BB/99-8.

8662/36/72630 12 40

P. W. D.

E. B. (II).

Await.

7-9-50.

11/9/50

E. B. (II).

The S.E., Karnatak I. C., expedited under No. 8662/36-E(II), dt. 12-12-50.

ISSUED 12/12 . EB II 419

11/12/50

P. W. D.
No. 8662/36
No. 72630

Statement [illegible]wing details of
from Ag

S. No.	Name & designation of the subordinate	Date of birth	Date of appointment in the Minor Irrgn. Dn.under Agril.Deptt.	Pay & Agril. 31-3-1 to abs
1	2	3	4	
1.	Shri. M.D.Yadav, Senior A/cs.Clerk (qualified)	15-10-1915	23-9-1947	Rs.124 scale -140-1
2.	Shri. D.Y.Nadgauda, Senior Clerk (qualified)	2-9-1923	22-8-1947	Rs.92 scale 140 wi from 2
3.	"N.G.Joshi, Clerk (qualified)	16-5-1924	12-9-1947	-d with ef 1-10-19

tablishment absorbed in this Department
ultural Department.

le in the tt on prior tion.	Total length of service in the Agril Deptt as verified from service book			Pay & scale in this Deptt.on 1-4-1950 in the Karnatak Irrgn. Circle	REMARKS
	6			7	8
	Ys	Ms.	Ds		
in the Rs.100-8 50	2	6	8	Rs.124/-in the scale of Rs. 100-8-140-10-150	Previous service- Y. M. D. i.Mustering Karkun on Asoga Boring works 2--0--0 ii.Audit clerk & senior A/c. Clerk on R.H.E.Works Kolhapur State 5--0--0 iii.Divisional Accountant on Famine Relief Works in the Kolhapur State. 2--0--0 iv.Minor Irrgn.Dn.-Belgaum 2--6--0 11--6--0 He joined in the late M.I.Dn.on 23-9-1947 as S.A.C. he has thus put in a total service of abo[ut] twelve years by now and has all along been working as S.A.C.for several years He is highly spoken of by the officers under whom h[e] has served as being an intelligent & capabl[e] subordinate. Since the opening of the I[rri]war Irrigation Dn.in April 1950 he has [been] entrusted with the duties of S.A.C. and [his] work is reported to be quite satis[fac]tory. As it is found very difficult to g[et] really intelligent & trained Senior Accou[nt] clerks for Divisional offices, it is in i[nte]rest of Govt.work that the services of this [man] should not be lost to the Deptt. It i[s] therefore,strongly recommended that he s[hou]ld be continued as S.A.C. on the temp[ora]ry Estt. on his existing pay.
he Rs.92-8- ffect 1-1949	2	7	10	Rs.92 in the scale of Rs. 92-8-140	Prev[ious] service: i. [Ka]n & clerk in the Salsette [Wa]supply Sub-Dn.at Andheri ([Pu]c Health Circle) 1--0--0 ii. [Acc]nts clerk in the Bank [of] rivate Firm 0-10--0 iii.[M.I.] Irrgn.Dn.Belgaum 2--7--0 4--5--0 Havi[ng] put in more than 4 years service he has [acqui]red sufficient knowledge of accounts & he [has] been found to be very useful in the acco[unts] branch in the Divl.Office.It is reco[mmen]ded that he may be continued on his exis[ting] pay of Rs.92/- only but in the last mf g[rade] of Rs.46-3-85-EB-4-105 on the Temp[orary] Establishment,his past service being only 4 years.
from	2	6	19	Rs.89+3 P.P. in the scale of Rs.46-3-85 etc.	Prev[ious] service- i.Ni[zam] dairy Farm 0--6--0 ii.[Dis]ary Accounts 4--2--0 iii.[Ex] clerk in the Postal [Dept]. 0--5--0 iv.[M.I.]Irrign.Dn.Belgaum 2--6--0 7--7--0 In vi[ew] his long Military service and th[e] experience he has gained in the ac[counts] Branch in the M.I.Dn.it is re[com]mended that he should be allowed to co[nti]nue on his existing pay in the last grade.....

1	2	3	4
4.	Shri. M.G.Kulkarni, Clerk (qualified)	16-11-1924	25-6
5.	" M.K.Hampiholi -do-	25-4-1924	1 (as 1 as
6.	" V.R.Patil -do-	1--6-1922	1-(

Note: i. As the dates of birth could not be veri
the subordinates concerned they have be

ii. The subordinates have submitted written
service rendered by them elsewhere prio

5	6			7	8
		Y.	M.	D.	
48	Rs.58 in the scale of Rs.46-3-85 etc.	1	9	6	Rs.58/- in the scale of Rs.46-3-8 etc.
947 for & 948	Rs.58/- -do-	2	5	15	Rs.58/- -do-
	Rs.58/- -do-	1	10	0	Rs.58/- -do-

ade of Rs.46-3-85 etc.on the temp.Estt. such continuance does not affect the niority of any of the existing staff.

evious service-

i.Store clerk in Mysore Kirloskar Ltd. 2--6--0
ii.Karnatak Plywood Co. 0--6--0
.ii.Minor Irrigation Dn. Dharwar 1--9--0
4--9--0

he is proposed to be absorbed the last grade without affecting ie seniority of others, he is as od as a new recruit. It is,therefore, commended that in view of his evious service experience, he may continued on his existing pay on ie temporary Establishment.

evious experience -

i. Accounts clerk in Mysore Kirloskar Ltd. 4--0--0
ii. Minor Irrigation Dn. Dharwar 2--5--0
6--5--0

Being a qualified hand and having previous service of more than 6 years at his credit it is recommended that he may be continued on the existing pay of Rs.58/- on the temporary Estt.

Previous service:

i. Clerk in the Rural Development Deptt Board 0--8--0
ii. Typist in the office of the Executive Engineer, Dharwar Dn. 0--6--0
iii. Clerk in the Civil Hospital,Dharwar 0-10--0
iv. Minor Irrigation Dn. Dharwar. 1-10--0
3-10--0

He is qualified hand and a good typist. In the test taken in this office, he was found to be a fast and accurate typist. It is, therefore,recommended that he should be continued on the existing pay in the last grade on the Temporary Establishment as it does not affect the seniority and claims of any of the existing staff.

vant of Domicile certificates of is supplied by the parties.

s in support of the previous joining the Agricultural Deptt.

Superintending Engineer,K.I.C.

45 1-7

Early Please.

No.G-43. Office of the Superintending Engineer
Karnatak Irrigation Circle,
Dharwar, 22nd December 1950.

o

The Secretary to Government,
Public Works Department,
Bombay. 1.

Subject:- Absorption of the Establishment from the Minor Irrigation Division.

P 27 4

Reference: Correspondence resting with this office No.G-43, dated the 30th August 1950 and Government Expeditor No.8662/36-E(II),dated 12-12-1950.

P.40

2. A statement showing the detailed information in respect of each of the subordinates who have been absorbed in this department from the defunct Minor Irrigation Divisions, is submitted herewith as called for. It will be seen that only one of the seven clerks is proposed to be absorbed in the higher grade in view of his previous experience and according to his individual merits and the remaining five in the last grade of clerks. Particulars of their previous service and my recommendations in each case are given in the remarks column of the statement.

3. These subordinates have joined their duties in the Dharwar Irrigation Division on 1-4-1950 B.N.having been relieved from the Minor Irrigation Divisions on 31-3-1950 A.N. Thus, there was actually no break in their service.

4. In view of the circumstances explained below in more details, I would, ~~therefore,~~ strongly recommend that the subordinates may kindly be allowed to continue on the pays and in the scales shown against them on the temporary Establishment only. Of course, for purposes of seniority on the Temporary Establishment, the clerks from the Minor Irrigation Division will be ranked below the subordinates who were already appointed to that grade prior to the date on which the clerks from the Minor Irrigation Division joined in the Dharwar Irrigation Division. The seniority for promotion to higher grades in the permanent cadre or taking them on the list of permanent establishment, may be regulated according to the date of their joining this Department.

5. Being found surplus to the requirements of the Agricultural Department, the Director of Agriculture, Bombay State, Poona, issued a clear one month's notice to the staff serving in the defunct Belgaum and Dharwar Minor Irrigation Divisions, terminating their services with effect from 31-3-1950 A.N. In order that this staff may not be thrown out of employment after 31-3-1950, Government in the Public Works Department issued instructions to absorb surplus useful staff from these Minor Irrigation Divisions, vide para 5 of Government Resolution, P.W.D.No.444/48, dated 24-3-1950 and accordingly the services of these subordinates were accepted on their then existing pays in the Minor Irrigation Divisions subject to approval of Government.

6.....

12 46

6. It appears that the one month's notices issued to these persons were subsequently withdrawn during the last week of March 1950 and they were asked to join in the same Agricultural Department at different places. A remark to the effect that their services have been treated as terminated has been recorded in their service books presumably because they failed to join these new appointments. In this connection, I would say that a month's notice is given so as to give time to the retrenched staff to make preparations for getting employment else-where. Once a notice is given it would not be justifiable to take the notice back at the eleventh hour unless of course both parties agree. If the other party has already made its own arrangements for future, and on the strength of the same if that party refuses to join the same department and fulfils any contract in which it might have already entered into in the meantime, that party does not deserve to be made to suffer. Before these notices were taken back, these persons had promised the Dharwar Irrigation Division to place their services at its disposal. Even by risking a little of their own personal safety they fulfilled their promises and joined the newly created Dharwar Irrigation Division on 1-4-1950.

7. Secondly, in order to tackle the "GrowMore Food" campaign with utmost vigour from the very inception of the Dharwar Irrigation Division, these subordinates were persuaded to join this Department (on the strength of para 5 of the Government Resolution P.W.D.No.444/48, dated 24-3-1950) on the clear understanding that they would be continued here, with the usual concessions. It is very strongly urged that this promise made with sufficient backing of Government Policy in this respect, and in good faith in the interest of Government work, may not be allowed to turn false.

8. Establishment of the Dharwar Irrigation Division on a firm footing without loss of time, was made possible to an appreciable extent by this staff. The plight of the Division if it had to push on without this staff in the beginning could only be imagined in view of the inability of the Southern Circle to spare adequate number of experienced staff in time and the heavy work that the Division had to carry on during that time.

9. I would in the circumstances explained request that the Government may, with your concurrence, kindly be moved to approve of the proposal in para 4 above as a special case, since it is proposed to absorb only those subordinates who are considered to be useful.

Accompts:
1 statement

Yours faithfully,

Superintending Engineer,
Karnatak Irrigation Circle.

Through the Chief Engineer to Government, Public Works Department, Bombay, with compliments.

E (II) 26/12
P. W. D.
8662/36
105097

RNG.

E.B.(II). P. W. D.

The S.E., Karnatak Irrign. Circle, has now forwarded details of six persons who have been absorbed in his Circle from the defunct Minor Irrign. Dns. In his letter No.G.43, dt. the 18-5-1950, the S.E. had reported the names of 13 persons who had been absorbed in the Dharwar Irrign. Dn. The S.E. will, therefore, be requested to elucidate the position.

2. The proposal contained in these papers is the fixation of the initial pays of the absorbed persons and their seniority on their appointment in the P.W.D. The S.E. has granted these persons the pay they were in receipt of in the Agricultural Deptt. and requestes Govt. to allow them to continue on the pay and scales shown against them. In this connection it may be stated that in accordance with rule 43 of the B.C.S.Rules Manual, Vol. I, re-employment of a Govt. servant after discharge on reduction of estabt. amounts to fresh appointment for the purposes of pay and the person draws the minimum of time-scale. The retrenched persons have been absorbed in a different Deptt. and in accordance with the above provisions are required to be given the minimum of the scale in which they have been appointed. However, according to the provisions laid down against S.No.2 of App. XXVII of the Bombay P.W.D.Manual, Vol.-II, the S.E. is competent to grant higher starting pay by taking into consideration previous useful service rendered in Govt. or other offices for a considerable period. Looking to the above fact the S.E.'s action in fixing the pays as indicated in the statement at pp 41-4 ante, is in order and may be approved.

3. Shri M. D. Yadav has been appointed as a S.A.C., appointments to which are made from amongst the other clerks according to merit and seniority. However, in view of the position explained by the S.E. in Col. 8 against S. No. 1 of the statement the S.E.'s action in appointing Shri Yadav as a S.A.C. may also be approved.

4. As regards the fixation of seniority of these persons on the tempy. estabt. the S.E. states that the absorbed persons will rank below the subordinates, who were already appointed to that grade

prior..

prior to the date on which the clerks from the M.I.Dn. joined the Dharwar Irrign. Dn. This view of the S.E. is not correct as the seniority ~~but~~ is maintained on a circle basis, the absorbed persons will have to rank below all clerks who joined the Kamatak I. C. before their absorption in the P.W.D. The seniority of ~~those~~ these persons for purposes of promotion to the permanent estabt. may be regulated according to the date of their joining the P.W.D. as suggested by the S.E.

5. The P. & S.D. and the F.D. may see U.O.

Vsm.
8/1/51.

POLITICAL AND SERVICES DEPARTMENT
File No. PWD 8662/36/10589
D 11 JAN 1951
Serial No. 665

9/1/51

10-1-51

O.S.

U.O.

FINANCE DEPARTMENT
File No. B
Date 18-1-51
Serial No. 31390

The P.W.D. proposal amounts to granting advance ~~investments~~ to the following extent:-

	No. of increments.	Years of Govt. Service.
a) Shri M.D.Yadav.		
b) " D.M.Nadgauda		
c) " N.G. Joshi		
d) " M.G. Kulkarni		
e) " M.K. Hampihol		
f) " V.R. Patil		

2. The higher starting pays as worked out on the lines as indicated above have already been allowed by the S.E. under powers delegate to him under Entry No. 2 of XXVII of the P.W.D. Manual Vol. II and the S.E. states that it is necessary to continue them in view of:-

i) Previous long servi persons concerned.

ii) Assurance given in para 3 of G.R.P.W.D. No.444/48 dt. 24-3-50.

iii) Had it not been for this experienced staff; the progress made by the Dharwar Irrigation Division in the matter of Grow More Food Schemes would have been ~~transferred~~ hampered.

It is true that under the delegation of powers referred to above, the S.E.s are competent to sanction higher starting pays after taking into account amongst other things, the previous considerable service rendered by persons appointed by them. It could hardly be said however, that persons from whom advanced increments have been proposed, excepting perhaps Shri Yadav, have put in considerable useful service which would justify the grant of advance increments. It will be seen that in most cases the total service does not exceed 4 years—in some cases upto 6 years and premium

Govt. ~~service~~ rendered in no case exceeds 22 years (excepting Shri Yadav). The delegation has perhaps be be utilised by the S.E. in exceptional circumstances and probably not in a wholesale manner as done in the present case. The S.E.'s argument would perhaps be that in view of (ii) and (iii) ~~xx~~ in para 2 above, he was compelled ~~xx~~ to. It needs to be pointed out however that the directive to absorb the staff contained in the G.R. of the 24th March 1950, constitutes no assurance or guarantee and that it is difficult to imagine that the work of the Dharwar Dvn. would have been so seriously hampered by appointment of some other staff or that ~~no~~ other staff was available for appointment, especially since the posts are mainly clerical ones. Furthermore, the absorption of the persons concerned in alternative posts in Govt. service in itself a concession to them especially in the atmosphere of allround retrenchment, and the plea that the "staff was persuaded etc" should not ordinarily be allowed to stand. In case of all retrenched ~~xx~~ persons Govt. has decided that their past service should no count and there is ~~no~~ reason why P.W.D. should be singled out for a differential treatment.

4. For these reasons it is submitted that the P.W.D. may be advised.

(a) that Shri Yadav may be granted advance increments as proposed as a special case.
(b) that in no other case advance increments need be given to absorbed servants and all such cases in which higher starting pays have been sanction by the S.Es. should be revised and regularised.

EB(II) ~ 5/2

Early Please.

No. G-43

Office of the Superintending Engineer,
Karnatak Irrigation Circle,
Dharwar, 15th February, 1951

To

The Chief Engineer,
Public Works Department,
Bombay.

Subject :- Absorption of the Establishment from the Minor Irrigations Divisions.

Reference:- This office No. G-43, dated the 22nd December, 1950. pp. 45-46

It is requested that Government may kindly be moved to issue early orders in the matter. The names of clerks at S.No. 3 and 5 in the statement accompanying this office letter under reference may kindly be deleted as they are being absorbed elsewhere.

Superintending Engineer,
Karnatak Irrigation Circle.

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P. Y. B.
Pkt. No. 8662/36
Sr. No. 15553

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Letter.

No. 8662/36-E(II). Public Works Department,
Bombay Castle (Bombay No.1)
27th February 1951.

To

The Superintending Engineer,
Karnatak Irrigation Circle.

Sub:- Fixation of pay of the establishment absorbed from Minor Irrigation Divisions.

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Reference: Correspondence resting with your letter No.G.43, dated the 15th February 1951.

2. Your action is appointing Shri M.D.Yadav as Senior Accounts Clerk, on a h higher starting pay of Rs.124/- per mensem in the scale of Rs.100/140/10/150, from the date of his appointment, is approved, as a special case.

3. Your proposal to grant higher starting pay in the case of the remaining persons referred to in the statement accompanying your letter No.G.43, dated the 22nd Decr.1950, cannot be approved. In the case of all retrenched persons, count for purposes of fixing their pays on reappointment, The powers delegated under Engry.No.2 of Appendix XXVII of the Public Works Deptt.Manual, Vol.II, is to be exercised in exceptional circumstances only. Your are, therefore, requested to review and regularise all cases in which higher starting pays have been sanctioned by you.

4. The seniority of Shri M.D.Yadav for purposes of promotion to the permanent establishment should be regulated from the date of his joining the Public Works Department.

By order of the Govr. of Bombay.
Id/-
2/3/51.
(D.N.Daruwala,)
Asstt.Secy. to the Govt.of Bombay,
P.W.D.

D.A.-Nil

Copy forwarded to -

the Finance Department,

the Accountant General, Bombay,

(through the Finance Department),

for information.

.....

Copies forwarded to -

the Chief Engineer, Public Works Department,

the Chief Engineer, Bombay Electric Grid,

the other Superintending Engineers of Circles,

the Electrical Engineer to Government,

the Public Health Engineer to Government,

the Architect to Government,

the Director, Development Department Chawls,

for information and guidance.

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P.K.M.

Letter

No.G-43. Office of the Superintending Engineer,
Karnatak Irrigation Circle,
Dharwar, 6th April 1951.

To

The Chief Engineer to Govt.,
Public Works Department,
Bombay.

Subject:- Fixation of pay of the establishment absorbed from Minor Irrigation Divisions.

Reference: Government letter P.W.D. No.8662/36-E(II), dated the 27th February, 1951. P.57

In accordance with the orders issued in para 3 of the Government letter, the starting pays of Shriyuts D.Y.Nadgouda, M.G.Kulkarni, and V.R.Patil, Clerks, have now been regulated at Rs. 55/- with effect from 1-4-1950, the date of their joining this Department.

P.45.46

2. It may, however, be mentioned here that as already reported in this office No.G-43, dated 22-12-1950, the above subordinates were appointed on higher starting pays (i.e. the same pays they were drawing in the Minor Irrigation Divisions in the Agricultural Department before joining this Circle) in the interest of Government work and regulating their pay at reduced rates with retrospective effect from 1-4-1950 would mean recovery of the excess pay drawn by them from 1-4-1950 to 28-2-1951. Out of the six clerks originally recruited from the defunct Minor Irrigation Divisions two viz. Shri. N.G.Joshi and M.R.Hampiholli have since left the Department having secured jobs elsewhere. The excess amount drawn in the case of the five clerks mentioned in paras 1 and 2 above amounts to Rs.913/- as under:

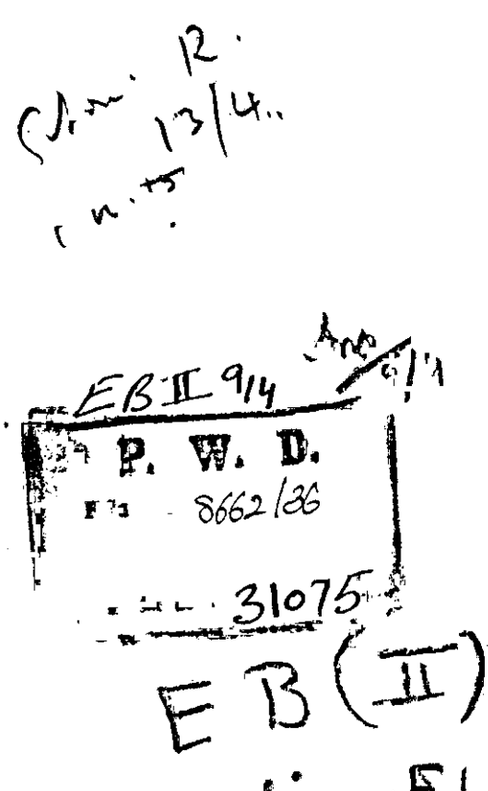
1.	Shri.	D.Y.Nadgouda	Rs.	407
2.	"	M.G.Kulkarni	"	33
3.	"	V.R.Patil	"	33
4.	"	N.G.Joshi	"	407
5.	"	M.R.Hampiholli	"	33
		Total Rs..		913/-

It would be a great hardship in these days to recover these amounts from the low paid clerks for no fault of theirs and particularly when they were drawing the same higher pay in the Minor Irrigation Divisions for the same work they are now doing. I, therefore, request the favour that the recovery may kindly be waived as a special case.

Markag. 3/4

Superintending Engineer,
Karnatak Irrigation Circle.

Ack 3/4



EB (II)

9-4-51

8662/36/3to75.

P.W.D.

F.B.

Submitted with refce. to the G.L. at pp.47-50 p.51 ante and the notes underlying it.

2. The S.E., Karnatak P.C., has now regulated the pays of three clerks in service with retrospective effect. The remaining two clerks have since resigned. As a result of regulation of their pays, the clerks have drawn pay in excess of what they would have normally drawn. The extent to which they have been overpaid is indicated below:-

		Rs.
1.	Shri D.Y. Nadgouda	407/-
2.	Shri N.G. Kulkarni	33/-
3.	Shri V.R. Patil	33/-
4.	Shri N.G. Joshi	407/-
5.	Shri M.K. Hampiholli	33/-
		913/-

As the clerks at S.No. 4 and 5 have since left service, it will not be possible to recover the excess from them. As regards the clerks at S.Nos. 1, 2 and 3, the S.E. states that if it is decided to recover the excess paid to them, great hardship would be caused taking into consideration now the meagre salary drawn by them viz., 55½ p.m. It is also

feared that the clerks are likely to resign if the amounts ~~is~~ are to be recovered.

3. In the circumstances sanction may be accorded to the waiving of the recovery of the excess pay drawn by the five clerks refd. to in para. 2 overleaf after u.o.r. ~~from~~ to the F.D.

M
18/4/51.

24/4/51

D.S.

u.o.r. to the F.D. & U.O. dt. the 24th April 1951

FINANCE DEPARTMENT
File no. VIII
Date 25/4/51
Serial No 3847

Finance Deptt. VIII

In the circumstances stated by the S.E. 21/4. K.D.C., and particularly in view of the fact that two of the clerks have already left Govt. service, The P.W.D. proposal to waive the recovery of the excess amount paid may be agreed to.

DTW
9/5

Submitted for orders
F 11/5

Sher R
14/5

D.S. 10/5

P. W. D.
File No. 8662/36
Serial No. 4130

P. W. D.
PP. 63-64

F. Box.

The F.D having agreed the draft put up may issue, if approved.

24/5/51

D.S. 10

F.
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6.5.51
SrB.
8/5/51

U.O.R. to P.W.D. dt. 7.5.51
IP

63

Letter. 8662/36/41309

3

No. 8662/36-F. P. W.D.,

B.C.(B'bay No.1), 25 May 1951.

To

The S.E., Karnatak I.C.

Sub:- Waiving the recovery of excess amount paid to clerks.

Ref: your letter No. G-43, dt. 6-4-1951. P.59

2. Sanction is accorded to waive the recovery of the excess pay drawn by the five clerks referred to

64

to in para. 2 of your letter under reference.

Finance Department

By order of the G. of B,

Asstt. Secy. to the Govt. of B'bay,
P.W.D.

D.A.-Nil.

Copy, ~~for~~ together with a copy of the letter rcvd. to, forwarded to—

P.59

the F.D.,
the A.G., B'bay (Thro: the F.D.),

for information.

W.A. ISSUED 24/5/51

24/5/51.

Section concd.
in file No. P.140/3/50-51